

REMARKS

The following remarks are responsive to the Office Action of July 9, 2008.

At the time of the Office Action, claims 1, 4-31 and 33-36 were pending. Claims 1 and 4-9 were rejected under 35 U.S.C. §103(a) as obvious over Ueno (U.S. Patent Application Publication No. 2002/0037747) and further in view of Tamura et al. (U.S. Patent No. 6,771,896) and Nakajima et al. (U.S. Patent No. 7,212,729). Claims 10-23 and 25-28 were rejected under 35 U.S.C. §103(a) as obvious over Ueno and further in view of Nakajima et al. Claim 24 was rejected under 35 U.S.C. §103(a) as obvious over Ueno and Nakajima et al., and further in view of Mitsuhashi et al. (U.S. Patent No. 6,717,693). Claims 29-31 were rejected under 35 U.S.C. §103(a) as obvious over Ueno and further in view of Tamura et al. and Mitsuhashi et al. Claim 33 was rejected under 35 U.S.C. §103(a) as obvious over Ueno, Tamura et al. and Nakajima et al., and further in view of Kameyama (U.S. Patent No. 7,158,266). Claims 34 and 35 were rejected under 35 U.S.C. §103(a) as obvious over Ueno and Nakajima et al., and further in view of Kameyama. Finally, claim 36 was rejected under 35 U.S.C. §103(a) as obvious over Ueno, Tamura et al. and Mitsuhashi et al., and further in view of Kameyama.

These rejections are respectfully traversed.

The 35 U.S.C. §103(a) Rejection of Claims 1 and 4-9

In this rejection, the Examiner admits that Ueno and Tamura fail to teach displaying of an initialization state of the communication interface of the digital camera as recited in independent claim 1. Nevertheless, for this feature, the Examiner relies on the teachings of Nakajima, and contends that one skilled in the art would have found it obvious to have further modified the Ueno apparatus in accordance with the teachings of Nakajima to have achieved the embodiments of the present invention as recited in these claims. Applicants respectfully disagree.

Nakajima teaches an information recording apparatus and method employing a hard disk

In re Application of: Choi et al.
Application No. 10/672,095
Response to Office Action of July 9, 2008

recorder 3 onto which can be recorded television programs for viewing and access by users (see, for example, column 5, lines 51-55). The Examiner contends that column 8, lines 25-47, column 10, lines 56-58 and Figures 4 and 5 of Nakajima teach a digital signal processor, of a digital camera, that displays on the display of the digital camera an initialization state of the communication interface for transmitting and receiving data files between the recording medium of the digital camera and an external device. Applicants respectfully submit, however, that the teachings of Nakajima have no relationship to a digital camera and therefore, one skilled in the art would not have found it obvious to have considered the unrelated teachings of Nakajima in view of Ueno and Tamura.

Furthermore, Applicants respectfully submit that column 8, lines 25-47 and Figures 4 and 5 of Nakajima pertain to the initialization of the hard disk recorder 3, not a communication interface between a digital camera and an external device. Also, Applicants respectfully submit that column 10, lines 56-58 of Nakajima relate to the initialization of a user payment transaction that a user creates by providing credit card information so that the user can “order a commodity through the hard disk recorder 3.” (see column 10, lines 15-16). In other words, the “displaying” that occurs as described in column 10, lines 56-58 merely indicate to the user that the user has provided the information necessary to complete the transaction so that the user can purchase the “commodity.” Applicants submit that these teachings of Nakajima have no relationship to the displaying that pertains to the initialization of a communication interface of a digital camera that occurs in the claimed embodiments of the present invention.

Accordingly, for at least the above reasons, Applicants submit that one skilled in the art would not have found it obvious or possible to have modified the Ueno device in accordance with the teachings of Tamura and Nakajima to have achieved the embodiment of the present invention even as recited in independent claim 1. Hence, claim 1, and all of its dependent claims, including claims 4-9, should be allowable.

In re Application of: Choi et al.
Application No. 10/672,095
Response to Office Action of July 9, 2008

The 35 U.S.C. §103(a) Rejection of Claims 10-23 and 25-28

In this rejection, the Examiner again admits that Ueno fails to teach the displaying of an initialization state of the communication interface of the digital camera as recited in independent claim 10, the displaying of an initialization state of the “means for transmitting data files” of the digital camera as recited in independent claim 14, and the method of monitoring the status of a digital camera as recited in independent claim 17 in which an initialization state is displayed when initializing a communication interface. Nevertheless, for these features, the Examiner relies on the teachings of Nakajima, and contends that one skilled in the art would have found it obvious to have further modified the Ueno apparatus in accordance with the teachings of Nakajima to have achieved the embodiments of the present invention as recited in these claims. Applicants respectfully disagree.

As discussed above, Applicants respectfully submit that the teachings of Nakajima have no relationship to the displaying that pertains to an initialization of an interface of a digital camera that occurs in the claimed embodiments of the present invention. For clarification purposes, claim 17 is being amended to state that the displaying occurs on a display of the digital camera and the interface provides communication to and from the digital camera.

Accordingly, for at least the above reasons, Applicants submit that one skilled in the art would not have found it obvious or possible to have modified the Ueno device in accordance with the teachings of Nakajima to have achieved the embodiment of the present invention even as recited in independent claims 10, 14 and 17. Accordingly, claims 10, 14 and 17, and all of their dependent claims, including claims 11-13, 15, 16, 18-23 and 25-28, should be allowable.

The 35 U.S.C. §103(a) Rejection of Dependent Claim 24

In this rejection, the Examiner again admits that Ueno fails to teach the displaying of an initialization state of the communication interface as recited in independent claim 17 from

which claim 24 depends. Nevertheless, for this feature, the Examiner relies on the teachings of Nakajima, and contends that one skilled in the art would have found it obvious to have further modified the Ueno apparatus in accordance with the teachings of Nakajima. Furthermore, the Examiner admits that Ueno and Nakajima fail to teach the displaying of the type of communication interface as recited in claim 24. Nevertheless, for this feature, the Examiner relies on the teachings of Mitsuhashi, and contends that one skilled in the art would have found it obvious to have further modified the Ueno apparatus in accordance with the teachings of Nakajima and Mitsuhashi to have achieved the embodiment of the present invention as recited in this claim. Applicants respectfully disagree.

As discussed above, Applicants respectfully submit that the teachings of Nakajima have no relationship to the displaying that pertains to an initialization of an interface of a digital camera that occurs in the claimed embodiments of the present invention. Furthermore, Applicants respectfully submit that Mitsuhashi relates to a connection between a computer and a printer, not an interface for a digital camera. Moreover, Mitsuhashi fails to make up for the deficiencies in the teachings of Nakajima as discussed above.

Accordingly, for at least the above reasons, Applicants submit that one skilled in the art would not have found it obvious or possible to have modified the Ueno device in accordance with the teachings of Nakajima and Mitsuhashi to have achieved the embodiment of the present invention even as recited in independent claim 17. Accordingly, claim 24, which depends from claim 17, should be allowable.

The 35 U.S.C. §103(a) Rejection of Claims 29-31

In this rejection, the Examiner admits that Ueno fails to teach a method for monitoring the status of a digital camera including the operation of displaying a state indicator that indicates progression of a transceiving state while transmitting or receiving a data file to or from an external device. However, for this feature, the Examiner relies on the teachings of Tamura, but admits that Tamura fails to teach displaying of the type of

communication interface as recited in claim 29. Nevertheless, for this feature, the Examiner relies on the teachings of Mitsuhashi, and contends that one skilled in the art would have found it obvious to have further modified the Ueno apparatus in accordance with the teachings of Tamura and Mitsuhashi to have achieved the embodiments of the present invention as recited in these claims. Applicants respectfully disagree.

As discussed above, Applicants respectfully submit that the teachings of Mitsuhashi relate to a connection between a computer and a printer, not an interface for a digital camera. Therefore, Applicants submit that one skilled in the art would not have found it obvious to have modified Ueno with the unrelated teachings of Mitsuhashi.

Furthermore, the Examiner admits that Ueno, Tamura and Mitsuhashi fail to teach the termination of the displaying of the transceiving state when initialization of the communication interface is not successful as recited in dependent claim 31. However, the Examiner takes “Official Notice” of this feature. Applicants respectfully request in accordance with M.P.E.P. § 2144.03C that the Examiner provide “adequate evidence” to support these findings, especially in relation to a digital camera.

Accordingly, for at least the above reasons, Applicants submit that one skilled in the art would not have found it obvious or possible to have modified the Ueno device in accordance with the teachings of Tamura and Mitsuhashi to have achieved the embodiment of the present invention even as recited in independent claim 29. Accordingly, claim 29, and all of its dependent claims, including dependent claims 30 and 31, should be allowable.

The 35 U.S.C. §103(a) Rejection of Claim 33

In this rejection, the Examiner admits that Ueno and Tamura fail to teach the features relating to displaying the initialization state of the communication interface as in the rejection of claim 1. For this feature, the Examiner relies on Nakajima, but admits that Ueno, Tamura

and Nakajima fail to teach the series of bars as recited in this claim. However, for this feature, the Examiner relies on the teachings of Kameyama.

As discussed above with regard to claim 1 from which claim 33 depends, Applicants respectfully submit that the teachings of Nakajima have no relationship to the displaying that pertains to an initialization of an interface of a digital camera that occurs in the claimed embodiments of the present invention. Furthermore, Applicants respectfully submit that Kameyama is being cited merely for its alleged displaying of display bars, and fails to make up for the deficiencies in the teachings of Nakajima as discussed above.

Accordingly, for at least the above reasons, Applicants submit that one skilled in the art would not have found it obvious or possible to have modified the Ueno device in accordance with the teachings of Tamura, Nakajima and Kameyama and to have achieved the embodiment of the present invention even as recited in independent claim 1. Accordingly, claim 33, which depends from claim 1, should be allowable.

The 35 U.S.C. §103(a) Rejection of Claims 34 and 35

In this rejection, the Examiner admits that Ueno fails to teach the features relating to displaying the initialization state of the communication interface as in the rejection of claims 10 and 17 from which claims 34 and 35 depend, respectively. For this feature, the Examiner relies on Nakajima, but admits that Ueno and Nakajima fail to teach the series of bars as recited in this claim. However, for this feature, the Examiner relies on the teachings of Kameyama.

As discussed above with regard to claims 10 and 17, Applicants respectfully submit that the teachings of Nakajima have no relationship to the displaying that pertains to an initialization of an interface of a digital camera that occurs in the claimed embodiments of the present invention. Furthermore, Applicants respectfully submit that Kameyama is being cited

merely for its alleged displaying of display bars, and thus fails to make up for the deficiencies in the teachings of Nakajima as discussed above with regard to claim 33.

Accordingly, for at least the above reasons, Applicants submit that one skilled in the art would not have found it obvious or possible to have modified the Ueno device in accordance with the teachings of Nakajima and Kameyama and to have achieved the embodiment of the present invention even as recited in independent claims 10 and 17. Accordingly, claims 34 and 35, which depend from claims 10 and 17, respectively, should be allowable.

The 35 U.S.C. §103(a) Rejection of Claim 36

In this rejection, the Examiner admits that Ueno fails to teach a method for monitoring the status of a digital camera including the operation of displaying a state indicator that indicates progression of a transceiving state while transmitting or receiving a data file to or from an external device. However, for this feature, the Examiner relies on the teachings of Tamura, but admits that Tamura fails to teach displaying of the type of communication interface as recited in claim 29. Nevertheless, for this feature, the Examiner relies on the teachings of Mitsuhashi, and contends that one skilled in the art would have found it obvious to have further modified the Ueno apparatus in accordance with the teachings of Tamura and Mitsuhashi to have achieved the embodiments of the present invention as recited in these claims. Furthermore, the Examiner admits that all of these references fail to teach the series of bars as recited in claim 36, but relies on Kameyama for this feature.

Applicants submit, however, that Kameyama is being cited merely for its alleged displaying of display bars, and thus fails to make up for the deficiencies in the teachings of Ueno, Tamura and Mitsuhashi with regard to independent claim 29 as discussed above. Accordingly, for at least these reasons, claim 36, which depends from claim 29, should be allowable.

In re Application of: Choi et al.
Application No. 10/672,095
Response to Office Action of July 9, 2008

In view of the foregoing amendments and remarks, the application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

/brian c. rupp/

Brian C. Rupp, Reg. No. 35,665
Joseph J. Buczynski, Reg. No. 35,084
DRINKER BIDDLE & REATH LLP
191 N. Wacker Drive, Suite 3700
Chicago, Illinois 60606-1698
(312) 569-1000 (telephone)
(312) 569-3000 (facsimile)
Customer No.: 08968

Date: October 7, 2008

CH01/ 25197090.1